



Indiana Department of Natural Resources

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
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April 16, 2010

Ray Magruder
Manager, Network and Joint Facility Services
CSX Transportation
500 Water Street, J200
Jacksonville, Florida 32202

Federal Agency: Surface Transportation Board

Re: Project information concerning the abandonment of approximately 0.82 mile of rail line between milepost QSZ 3.60 and milepost QSZ 4.42 known as the Speedway Running Track (Docket AB-55 [Sub-no. 702x] ; DHPA #9284)

Dear Mr. Magruder:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated March 15, 2010 and received on March 18, 2010, for the above indicated project in Indianapolis, Wayne Township, Marion County, Indiana.

Based upon the documentation available to the staff of the Indiana SHPO, we have not identified any historic buildings, structures, districts, or objects listed in or eligible for inclusion in the National Register of Historic Places within the probable area of potential effects. In addition, we have not identified any currently known archaeological sites listed in or eligible for inclusion in the National Register of Historic Places within the proposed project area.

This identification is subject to the following condition:

- The project activities (including the possible future removal of the rail infrastructure) remain within areas disturbed by previous construction.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

At this time, it would be appropriate for the Surface Transportation Board to analyze the information that has been gathered from the Indiana SHPO, the general public, and any other consulting parties and make the necessary determinations and findings. Please refer to the following comments for guidance:

- 1) If the Surface Transportation Board believes that a determination of "no historic properties affected" accurately reflects its assessment, then it shall provide documentation of its finding as set forth in 36 C.F.R. § 800.11 to the Indiana SHPO, notify all consulting parties, and make the documentation available for public inspection (36 C.F.R. §§ 800.4[d][1] and 800.2[d][2]).
- 2) If, on the other hand, the Surface Transportation Board finds that an historic property may be affected, then it shall notify the Indiana SHPO, the public and all consulting parties of its finding and seek views on effects in accordance with 36 C.F.R. §§ 800.4(d)(2) and 800.2(d)(2). Thereafter, the Surface Transportation Board

may proceed to apply the criteria of adverse effect and determine whether the project will result in a "no adverse effect" or an "adverse effect" in accordance with 36 C.F.R. § 800.5.

A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at www.achp.gov for your reference. If you have questions about archaeological issues please contact Amy Johnson at (317) 232-6982 or ajohnson@dnr.IN.gov. If you have questions about buildings or structures please contact Chad Slider at (317) 234-5366 or cslider@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #9284.

Very truly yours,



James A. Glass, Ph.D.
Deputy State Historic Preservation Officer

JAG:CWS:ALJ:aj

cc: David C. Navecky, Environmental Protection Specialist, Surface Transportation Board